

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 253

Designation, under the Plenary Powers, of a type species
for the nominal genus *Pachylops* Fieber, 1858 (Class
Insecta, Order Hemiptera) in harmony with accustomed
nomenclatorial usage



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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 253

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OPINION 253

DESIGNATION, UNDER THE PLENARY POWERS, OF A
TYPE SPECIES FOR THE NOMINAL GENUS
"PACHYLOPS" FIEBER, 1858 (CLASS
INSECTA, ORDER HEMIPTERA) IN
HARMONY WITH ACCUSTOMED
NOMENCLATORIAL USAGE

RULING :—(1) Under the Plenary Powers all type-selections for the nominal genus *Pachylops* Fieber, 1858 (Class Insecta, Order Hemiptera) made prior to the present Ruling are hereby set aside and *Litosoma bicolor* Douglas & Scott, 1868, is hereby designated as the type species of this genus.

(2) The generic name *Pachylops* Fieber, 1858 (gender of name : masculine), with the type species designated in (1) above, is hereby placed on the *Official List of Generic Names in Zoology* as Name No. 679.

(3) The specific name *bicolor* Douglas & Scott, 1868, as published in the combination *Litosoma bicolor*, is hereby placed on the *Official List of Specific Names in Zoology* as Name No. 72.

I.—THE STATEMENT OF THE CASE

On 30th June 1943 the Royal Entomological Society of London published Part 8 of the work entitled *The Generic Names of British Insects*. This Part contained the Eighth Report of the Society's Committee on Generic Nomenclature¹ covering the First Report of its Hemiptera Sub-Committee.² This Report

¹ The composition of the Committee on Generic Nomenclature at the time of the submission of this Report was the same as it had been at the completion of its Sixth Report. Its composition at the latter date has been given in footnote 1 to *Opinion* 243 (: 48).

² The Hemiptera Sub-Committee at the time of the submission of this Report was composed of : Dr. W. E. China ; Mr. E. E. Green.

dealt exclusively with the generic names of the British Hemiptera-Heteroptera. Annexed to the Sub-Committee's Report as Annex II was a paper by Dr. W. E. China (*British Museum (Natural History), London*), one of the members of the Sub-Committee, giving particulars of ten nominal genera, each based upon a misidentified type species, and asking that in each case the International Commission on Zoological Nomenclature should use its Plenary Powers in such a way as to secure that the type species should be not the species to which the cited name is applicable but the species intended by the author of the generic name when he cited the name of the nominal species concerned. The eighth of the names in question was *Pachylops* Fieber, 1858, with which the present *Opinion* is concerned. The recommendations in regard to this and the nine other cases referred to above prepared by Dr. China and endorsed by the Committee on Generic Nomenclature were formally submitted to the International Commission by Mr. N. D. Riley, Secretary to the Royal Entomological Society of London, on 23rd August 1943. The application relating to the present case was as follows :—

Proposed suspension of the “ Règles ” for “ *Pachylops* ” Fieber, 1858 (Class Insecta, Order Hemiptera), a genus based upon an erroneously determined species

By W. E. CHINA, M.A.

(Assistant Keeper in the Department of Entomology, British Museum (Natural History))

***Pachylops* Fieber, 1858**

Original reference :—Fieber, 1858, *Wien. ent. Monatsch.* 2 : 314.

Author by whom the type in question was designated and reference:—The genus is monobasic.

Name of species so designated as type :—The monobasic type is *Capsus chloropterus* Kirschbaum, 1855.

Species intended by the original author of the genus when employing the specific name in question :—*Capsus chloropterus* (Kirschbaum) Fieber, 1858, *nec* Kirschbaum, 1855, *i.e.*, the species the valid name for which is *Litosoma bicolor* Douglas & Scott, 1868, *Ent. mon. Mag.* 4 : 267.

Discussion of the case :—Fieber based his genus on a single species which he assumed to be *Capsus chloropterus* Kirschbaum, 1855, *Rhyn. Wiesbaden* 1 : (*Jahr. Ver. Naturk. Herz. Nassau* 10 : 249). Reuter,

1877 (*Ent. mon. Mag.* **14** : 129), showed that Fieber misidentified Kirschbaum's species (possibly because he received a wrongly identified specimen from Kirschbaum himself), and that the species Fieber (followed by Douglas and Scott, and Saunders) determined as *Capsus chloropterus* Kirschbaum is a distinct species which was later described by Douglas and Scott under the name *Litosoma bicolor*. The type of *Pachylops* is therefore *Litosoma bicolor* Douglas & Scott, 1868, and not the wrongly identified *Capsus chloropterus* Kirschbaum, 1855. If it is necessary under the Code to assume that Fieber's determination of this species was correct, then *Pachylops* Fieber would replace the well-known *Orthotylus* Fieber, 1858, and *Pachylops* auct. nec Fieber would become *Hypsitylus* Fieber, [1860]. Such action would not only cause confusion in the nomenclature of these genera, but would run directly counter to Fieber's intention, which was to separate distinctly his two new genera *Pachylops* and *Orthotylus* described on consecutive pages of the same work. It would also be open to the strongest objection in that it would involve the designation as type of *Pachylops* of a species disagreeing completely with the generic description. It is for these reasons that I have accepted *Litosoma bicolor* Douglas & Scott, 1868, instead of *Capsus chloropterus* Kirschbaum, 1855, as the type of *Pachylops*. Since *Capsus chloropterus* Kirschbaum, 1855, is a primary homonym of *Capsus chloropterus* Herrich-Schaeffer, 1853, the next available name, which is *Litosoma virescens* Douglas & Scott, 1865, must be used if *Capsus chloropterus* is accepted as type.

Action by the International Commission desired :—A declaration that the type of *Pachylops* Fieber, 1858, is *Litosoma bicolor* Douglas & Scott, 1868, *Ent. mon. Mag.* **4** : 267 and not *Capsus chloropterus* Kirschbaum, 1855, *Rhyn. Wiesbaden* **1** : (*Jahrb. Ver. Naturk. Herz. Nassau* **10** : 249), the single species included in the genus by Fieber, since the Kirschbaum species agrees neither with Fieber's generic description nor with the description of the type species given by Fieber, which was clearly misidentified as *Capsus chloropterus* Kirschbaum.

II.—THE SUBSEQUENT HISTORY OF THE CASE

2. On receipt, all ten of the applications discussed in the preceding paragraph were registered together under the Number Z.N.(S.) 144. As soon as possible thereafter, these applications were prepared for publication in the then newly established *Bulletin of Zoological Nomenclature*. The present application was sent to the printer in September 1944, but, owing to difficulties

arising from paper rationing, shortage of labour at the printing works and similar causes, publication did not actually take place until 31st March 1947 (China, 1947, *Bull. zool. Nomencl.* 1 : 285).

3. After the present application had been sent to the printer for publication in the *Bulletin* but long before it was published, Dr. R. I. Sailor (*United States Department of Agriculture, Bureau of Entomology and Plant Quarantine, Washington, D.C., U.S.A.*) wrote a letter on 12th January 1945, commenting upon the proposals submitted by the Committee on Generic Nomenclature when transmitting the First Report of its Hemiptera Sub-Committee to the Council of the Royal Entomological Society of London. After criticising the application submitted in the case of the name *Alydus* Fabricius, Dr. Sailor intimated as follows his support for the proposal dealt with in the present *Opinion* :— “ I should like to add that, in my opinion, all other cases presented in Part 8 of *The Generic Names of British Insects* merit favorable action by the Commission ”.

4. *Issue of Public Notices* : On 29th September 1947 a notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was issued to the serial publications prescribed by the Ninth International Congress of Zoology, Monaco, 1913. The publication of these notices elicited no objection to the action proposed.

III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

5. At an early stage of its work during its Paris Session in 1948 the International Commission on Zoological Nomenclature submitted to the Thirteenth International Congress of Zoology a recommendation for the insertion in the *Règles* of a comprehensive provision dealing with the problem presented by nominal genera based upon misidentified type species. The gist of this

provision was that, where it could be shown that an error of identification of this kind had occurred, it should be the duty of the International Commission, on the facts being laid before it by specialists, to use its Plenary Powers to vary the type species of the genus concerned in such a way as to harmonise with current nomenclatorial usage, the Commission being left free, however, to withhold action under its Plenary Powers in any case where the nominal species cited by the author of a generic name and not the species to which he had intended to refer had become generally accepted by workers in the group concerned and where, in consequence, the correction of the original author's error would be likely to lead to confusion and name-changing (Paris Session, 6th Meeting, Conclusion 38) (1950, *Bull. zool. Nomencl.* 4 : 158—159). It was in the light of the foregoing provision that the present application was considered by the International Commission on Zoological Nomenclature at the Fourteenth Meeting of its Paris Session held at the Sorbonne in the Amphithéâtre Louis-Liard on Monday, 26th July 1948 at 2030 hours. The following is an extract from the Official Record of the Proceedings of the International Commission, summarising the introductory statement made by the Acting President (Mr. Francis Hemming) and the ensuing discussion which took place, other than that portion which relates to the application submitted in regard to the name *Gastrodes* Westwood, 1840, which has been quoted in *Opinion* 246 (the *Opinion* dealing with that name) (1950, *Bull. zool. Nomencl.* 4 : 472) :—

THE ACTING PRESIDENT (MR. FRANCIS HEMMING) said that unfortunately through some oversight the Commission File (file Z.N.(S.) 144) dealing with the present series of applications had not been included among those which he had brought with him to Paris to assist the Commission in the consideration of problems calling for decision. So far as he could recall, no objections to the action proposed in these cases had been received from any source. These cases appeared to be exactly of the kind envisaged in *Opinion* 168. They all related to genera based upon misidentified species, where the acceptance of the type species actually cited (as contrasted with that intended) by the original author would certainly cause great confusion. In such cases the

Commission were now under an obligation to use their Plenary Powers to avoid disturbance in accepted nomenclature.

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IN THE ENSUING DISCUSSION the view was generally expressed that all the necessary data had been submitted by Dr. China in support of the remaining applications and that those applications were well founded. It was felt, however, that, before a final decision was taken on these cases, it was desirable to make sure, by reference to the Commission's File, that no adverse comment of any kind had been received from any specialist in the groups concerned. If any adverse comments were found to have been received, the application concerned should be submitted to the Commission, but if no such adverse comments had been received, the Secretary to the Commission should prepare *Opinions* in the sense proposed.

6. The decision taken by the International Commission in the present case is set out as follows in the Official Record of its Proceedings (Paris Session, 14th Meeting, Conclusion 21) (1950, *Bull. zool. Nomencl.* 4 : 469—474) :—

THE COMMISSION agreed :—

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(5) as regards the names of the nine genera in the Order Hemiptera (Class Insecta) specified below :—

- (a) that, if an examination of the Commission's file Z.N.(S.) 144 showed that no objection to the action proposed had been received from any source, the Plenary Powers should be used to designate as the type species of the genera concerned the species severally specified below, but that, if in any case it were to be found that

such an objection had been received, the application concerned should be resubmitted to the Commission for further consideration :—

Name of genus	Name of species proposed to be designated under the Plenary Powers as the type species of the genus specified in Col. (1)
(1)	(2)
..... <i>Pachylops</i> Fieber, 1858 <i>Litosoma bicolor</i> Douglas & Scott, 1868
.....

(b) that, where under Sub-Conclusion (5)(a) above, the Plenary Powers were used to designate as the type species of the genus concerned the species specified in Col. (2) of the table annexed to the said Sub-Conclusion, the generic name specified in Col. (1) should be placed on the *Official List of Generic Names in Zoology* and the trivial name specified in Col. (2) as the name of the type species of the genus concerned should be placed on the *Official List of Specific Trivial Names in Zoology* ;

(c) that in every case where, under (5)(a) above, the Plenary Powers were used to designate as the type species of a genus the species specified against the name of that genus in Col. (2) of the table annexed to that Conclusion, an *Opinion* should be rendered recording the decision so taken.

7. In accordance with the directions given in Conclusion (5)(a) (quoted above) taken by the International Commission in regard to this and the other applications there specified, the Secretary to the International Commission on his return from Paris to

London examined the Commission's File Z.N.(S.) 144, relating to the foregoing cases. This examination showed that in no case had an objection been lodged against the use of the Plenary Powers in the manner recommended by the applicant. The decision taken conditionally in favour of granting the request contained in the present application, as set out in the extract from the Official Record of the Proceedings of the International Commission quoted in the immediately preceding paragraph, thereupon became definitive. The following is the note on this subject which for purposes of record Mr. Hemming then annexed to this portion of the Official Record (1950, *Bull. zool. Nomencl.* 4 : 474) :—

Note by the Secretary to the Commission.—

I have examined the Commission's File Z.N.(S.) 144, and find (i) that Dr. R. I. Saylor (*United States National Museum, Washington, D.C.*) has registered his support for each of the proposals specified above, and (ii) that no adverse comment on the action proposed has been received from any source. (Signed) Francis Hemming, Secretariat of the Commission, London, N.W.1. 15th September 1948.

8. The following are the original references for the names which appear in the decision set out in paragraph 6 above :—

bicolor, *Litosoma*, Douglas & Scott, 1868, *Ent. mon. Mag.* 4 : 267
Pachylops Fieber, 1858, *Wien. ent. Monats.* 2 : 314.

9. The gender of the generic name *Pachylops* Fieber, 1858, referred to in the decision quoted in paragraph 6 above, is masculine.

10. The decision taken in the present case was reported to, and approved by, the Section on Nomenclature of the Thirteenth International Congress of Zoology, Paris, 1948, at its Sixth Meeting held on 26th July 1948 (1950, *Bull. zool. Nomencl.* 5 : 115).

11. The Ruling given in the present *Opinion* was concurred in by the sixteen (16) Commissioners and Alternate Commissioners

present at the Paris Session of the International Commission, namely :—

Beltrán *vice* Cabrera ; Boschma ; Bradley ; di Caporiacco ; Hemming ; Hindle *vice* Jordan ; Jorge *vice* do Amaral ; Kirby *vice* Stoll ; Lemche *vice* Dymond ; Mansour *vice* Hankó ; Metcalf *vice* Peters ; Riley *vice* Calman ; Rode ; Spärck *vice* Mortensen ; van Straelen *vice* Richter ; Usinger *vice* Vokes.

12. The Ruling given in the present *Opinion* was dissented from by no Commissioner or Alternate Commissioner present at the Paris Session.

13. At the time of the adoption of the Ruling given in the present *Opinion* the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression “ trivial name ” and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word “ trivial ” appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression “ specific name ” was substituted for the expression “ trivial name ” and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

14. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

15. The present *Opinion* shall be known as *Opinion* Two Hundred and Fifty-Three (253) of the International Commission on Zoological Nomenclature.

DONE in London this Sixteenth day of December, Nineteen Hundred and Fifty-Three.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING